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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

13 LARRY NUNEZ,	)	Case No.: 1:24-cv-01050-BAM
14	)	
15 Plaintiff,	)	STIPULATION FOR VOLUNTARY
16 v.	)	REMAND PURSUANT TO SENTENCE
17	)	FOUR OF 42 U.S.C. § 405(g); ORDER
18 COMMISSIONER OF SOCIAL SECURITY	)	
19 Defendant.	)	
20	)	

21  
22 IT IS HEREBY STIPULATED, by and between the parties, through their undersigned  
23 attorneys, and with the approval of the Court, that the Commissioner of Social Security has  
24 agreed to a voluntary remand of this case pursuant to sentence four of 42 U.S.C. § 405(g). The  
25 purpose of the remand is to offer Plaintiff a new decision.

26 On remand, the Commissioner will offer Plaintiff an opportunity for a hearing; further  
27 develop the record as necessary; and issue a new decision. The parties further request that the  
28

Clerk of the Court be directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

Dated: December 27, 2024

/s/ Francesco P. Benavides \*  
(\*as authorized via e-mail on 12/20/24)  
FRANCESCO P. BENAVIDES  
Attorney for Plaintiff

Dated: December 27, 2024

PHILLIP A. TALBERT  
United States Attorney

By: /s/ Marcelo Illarmo  
MARCELO ILLARMO  
Special Assistant United States Attorney

Attorneys for Defendant

### **ORDER**

Based upon the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 13), and for cause shown, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings consistent with the terms of the Stipulation to Remand. Furthermore, the Clerk of Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.  
IT IS SO ORDERED.

Dated: December 30, 2024

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE